GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:3209
ANSWERED ON:22.03.2002
TIME BOUND ACTION PLAN FOR RECOVERY OF TAX
RAGHUNATH JHA

Will the Minister of FINANCE be pleased to state:

(a) whether the said information has since been collected;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the quantum of income-tax recovered during the last three years and quantum of income-tax yet to be recovered?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE (GINGEE N. RAMACHANDRAN)

(a) Yes, Sir.Recovery of tax is a continuous process, involving the use of statutory provisions with include charging of interest and levy of penalty. Persuasive action is also taken to recover the outstanding demand. If these do not yield results, other procedures are followed for recovery, which include deducting the amount so payable from any money the Department owes to the assessee, attachment and sale of any goods belonging to such assessee, certificate action through the Collector of the District in which the assessee resides as if it were arrears of land revenue, and attachment and sale of movable or immovable property of the assessee. In respect of cases where stay orders against recovery have been passed by the appellate bodies, special measures are taken to file petitions for urgent hearing or for deciding the cases on priority.

(b) Appeals have been filed by the Department before the Supreme Court, High Courts and CEGAT against stay orders passedby lower courts/tribunals, in 105 cases.

(c) No, Sir.

(d) The Department does not move the Supreme Court for vacation ofall such stay orders as a conscious policy, so as to minimize litigation as well as the time taken to settle the disputes. However, in cases where revenue stake is high and/or some point of law is involved, the Department seeks the opinion of the Government counsel for filing special leave petition in the Supreme Court.

(c) Does not arise.

(d) The amounts of income tax including corporate tax collected during the last three years are as follows:
Rs. crore

1998-1999	44769
1999-2000	56347
2000-2001	67460

The total demand outstanding as on 31.3.2001 is Rs. 56430 crore. _____